

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

IN RE:) BANKRUPTCY CASE
)
JAMES ZETTERGREN,) NO.: 19-02304
MICHELLE ZETTERGREN,)
) CHAPTER 13
Debtors,)
) JUDGE: PAMELA S. HOLLIS
) (Joliet)
)

NOTICE OF MOTION

TO: SEE ATTACHED ADDRESSES

PLEASE TAKE NOTICE THAT ON May 3, 2019 at 10:45a.m., or as soon thereafter as counsel may be heard, I shall appear before the Honorable Pamela S. Hollis, U.S. Bankruptcy Judge, 150 West Jefferson Street, 2nd Fl, Joliet, Illinois 60432, and shall then and there present the attached Motion and at which time you may appear if you so desire.

CERTIFICATION

I, the undersigned Attorney, Certify that I served a copy of this Notice to the Addresses attached by electronic notice through ECF or by depositing the same at the U.S. Mail at 1 North Dearborn, Chicago, Illinois 60602 at 5:00 P.M. on April 22, 2019, with proper postage prepaid.

McCalla Raymer Leibert
Pierce, LLC

/s/Kinnera Bhoopal

Kinnera Bhoopal
ARDC# 6295897

1 N. Dearborn Suite 1200
Chicago, IL 60602
(312) 346-9088

This is an attempt to collect a debt and any information obtained will be used for that purpose.

NOTICE OF MOTION ADDRESSES

To Trustee:
Glenn B Stearns
801 Warrenville Road
Suite 650
Lisle, IL 60532

by Electronic Notice through ECF

To Debtor:
James Zettergren
Michelle Zettergren
1505 Green Trails Dr
Plainfield, IL 60586

Served via U.S. Mail

To Attorney:
Patrick A Crame
Law Office of Patrick A. Crame
55 East MONROE Street Suite 3800
CHICAGO, IL 60603

by Electronic Notice through ECF

McCalla Raymer Leibert Pierce, LLC
Attorney For: Creditor
1 N. Dearborn Suite 1200
Chicago, IL 60602
(312) 346-9088

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)	(Joliet)
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MOTION TO MODIFY THE AUTOMATIC STAY

NOW COMES PennyMac Loan Services, LLC as servicing agent for BANK OF AMERICA, NA by and through its attorneys, McCalla Raymer Leibert Pierce, LLC, and requests that the Automatic Stay heretofore entered on the property located at 1505 Green Trails Dr, Plainfield, Illinois 60586 be Modified stating as follows:

1. On January 28, 2019, the above captioned Chapter 13 was filed.
2. The above captioned Chapter 13 has not been confirmed.
3. PennyMac Loan Services, LLC as servicing agent for BANK OF AMERICA, NA services the first mortgage lien on the property located at 1505 Green Trails Dr, Plainfield, Illinois 60586.
4. The Plan calls for the Debtors to be the disbursing agent for the post-petition mortgage payments directly to PennyMac Loan Services, LLC as servicing agent for BANK OF AMERICA, NA. Post-petition payments are \$1,934.42.
5. The post-petition mortgage payments are due and owing for February 01, 2019. The default to PennyMac Loan Services, LLC as servicing agent for BANK OF

AMERICA, NA is approximately \$5,803.26 through April 2019.

6. Attorney's fees and costs for this motion are due in the amount of \$1,031.00.
7. The plan is in material default.
8. PennyMac Loan Services, LLC as servicing agent for BANK OF AMERICA, NA continues to be injured each day it remains bound by the Automatic Stay.
9. PennyMac Loan Services, LLC as servicing agent for BANK OF AMERICA, NA is not adequately protected.
10. The property located at 1505 Green Trails Dr, Plainfield, Illinois 60586 is not necessary for the Debtors' reorganization.
11. The Debtors have no equity in the property for the benefit of unsecured creditors.
12. No cause exists to delay the enforcement and implementation of relief and Bankruptcy Rule 4001(A)(3) should be waived.

WHEREFORE, YOUR MOVANT respectfully prays that the Automatic Stay on the property located at 1505 Green Trails Dr, Plainfield, Illinois 60586, be modified and that Bankruptcy Rule 4001(a)(3) be waived as not applicable, and leave be granted to PennyMac Loan Services, LLC as servicing agent for BANK OF AMERICA, NA to proceed with nonbankruptcy remedies including foreclosure, and for such other and further relief as this Honorable Court deems just.

McCalla Raymer Leibert Pierce, LLC

By: /s/Kinnera Bhoopal
Kinnera Bhoopal
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